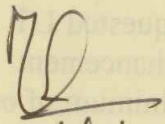


as such, but resulted in imprisonment
due to non payment of fine, is there
adequate justification to increase the
quantum of punishment to 3 years.
Please discuss if you don't agree.

(39)
5092/Dir(TW)
8/9/2001

Pl. dis
to
7.9.2001
Roxas
(40)

Dir (TW)

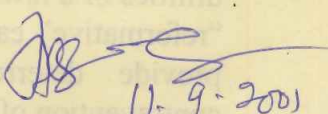

b/f
Dr. M. M. KUTTY
Secretary (T.W.)

Ref: Secretary (TW)'s minutes at para 39/n above.

Discussed with Director (TW). If we go by the number of cases registered, number convicted and number of acquittals (Please refer to statement at page 10/c received from IGP) for the period from 1991-2000, it is found that the percentage of conviction ranges from 90% to 100%. In view of this, perhaps we cannot infer that increase in the violations of the provision of the PAT Regulation is due to uncertainty of the punishment / conviction. In other words, there has been certainty of conviction / punishment. In spite of this, the violations of the provision of the PAT Regulation have continued unabated over the years.

Therefore the minimum punishment proposed to be prescribed, that is, one year imprisonment extendable upto 2 years and a fine of Rs. 2000/- extendable upto Rs. 10,000/- by amending section - 8 (1) of the Regulation (Please refer to draft Notification at pages 132-133/c) appears to be justified and will serve deterrent to recurring of violations of the PAT Regulation thereby ensuring protection of the interests of the tribals in the tribal area.

Submitted please.


11.9.2001
Research Officer (TW)

Director (TW)

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PA